

The Gazette



of India

सत्यमेव जयते

EXTRAORDINARY

PART II—Section 1

PUBLISHED BY AUTHORITY

No. 4]

NEW DELHI, FRIDAY, APRIL 21, 1950

MINISTRY OF LAW

New Delhi, the 21st April, 1950

The following Acts of Parliament received the assent of the President on the 19th April, 1950 and are hereby published for general information:—

THE REPEALING AND AMENDING ACT, 1950.

No. XXXV OF 1950

An Act to repeal certain enactments and to amend certain other enactments.

Be it enacted by Parliament as follows:—

1. Short title.—This Act may be called the Repealing and Amending Act, 1950.

2. Repeal of certain enactments.—The enactments specified in the First Schedule are hereby repealed to the extent mentioned in the fourth column thereof.

3. Amendment of certain enactments.—The enactments specified in the Second Schedule are hereby amended to the extent and in the manner mentioned in the fourth column thereof.

4. Savings.—The repeal by this Act of any enactment shall not affect any other enactment in which the repealed enactment has been applied, incorporated or referred to;

and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred, or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, or recognised or derived by, in or from any enactment hereby repealed;

nor shall the repeal by this Act of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

THE FIRST SCHEDULE

Repeals

(See section 2)

Year 1	No. 2	Short title 3	Extent of repeal 4
<i>Acts of the Central Legislature</i>			
1946	I	The Workmen's Compensation (Amendment) Act, 1946.	The whole
1946	II	The Indian Mines (Amendment) Act, 1946.	The whole
1946	III	The Code of Criminal Procedure (Amendment) Act, 1946.	The whole
1946	IV	The Code of Criminal Procedure (Second Amendment) Act, 1946.	The whole
1946	V	The Professions Tax Limitation (Amendment) Act, 1946.	The whole
1946	VI	The Insurance (Amendment) Act, 1946.	The whole
1946	VIII	The Indian Income-tax (Amendment) Act, 1946.	The whole
1946	XI	The Provident Funds (Amendment) Act, 1946.	The whole
1946	XII	The Trade Marks (Amendment) Act, 1946.	The whole
1946	XIII	The Indian Companies (Amendment) Act, 1946.	The whole
1946	XV	The Indian Coconut Committee (Amendment) Act, 1946.	The whole
1946	XVI	The Protective Duties Continuation Act, 1946.	The whole
1946	XVIII	The Indian Soldiers (Litigation) Amendment Act, 1946.	The whole
1946	XXV	The Delhi Special Police Establishment Act, 1946.	Section 7
1946	XXVI	The Special Tribunals (Supplementary Provisions) Act, 1946.	Section 4
1946	XXIX	The Indian Tea Control (Amendment) Act, 1946.	The whole
1946	XXX	The Registration of Transferred Companies (Amendment) Act, 1946.	The whole
1946	XXXI	The Foreigners Act, 1946.	Section 17
1947	I	The Criminal Tribes (Amendment) Act, 1947.	The whole
1947	III	The Indian Extradition (Amendment) Act, 1947.	The whole
1947	IV	The Coffee Market Expansion (Amendment) Act, 1947.	The whole

Year 1	No. 2	Short title 3	Extent of repeal 4
<i>Acts of the Central Legislature—contd.</i>			
1947	VI	The Indian Railways (Amendment) Act, 1947.	The whole
1947	VIII	The Indian Navy (Discipline) (Amendment) Act, 1947.	The whole
1947	XIII	The Delhi Muslim Wakfs (Amendment) Act, 1947.	The whole
1947	XIV	The Industrial Disputes Act, 1947 . . .	Section 40
1947	XXII	The Income-tax and Excess Profits Tax (Amendment) Act, 1947	The whole
1947	XXV	The Indian Tariff (Amendment) Act, 1947	The whole
1947	XXVII	The Motor Vehicles (Amendment) Act, 1947.	The whole
1947	XXVIII	The Indian Coinage (Amendment) Act, 1947 .	The whole
1947	XXXIII	The Negotiable Instruments (Amendment) Act, 1947.	The whole
1947	XXXIV	The Indian Boilers (Amendment) Act, 1947 .	The whole
1947	XXXV	The Panth Piplode Laws (Amendment) Act, 1947.	The whole
1947	XXXVI	The Indian Medical Council (Amendment) Act, 1947..	The whole
1947	XXXVIII	The Foreigners (Amendment) Act, 1947 . .	The whole
1947	XL	The Foreign Exchange Regulation (Amendment) Act, 1947.	The whole
1947	XLI	The Indian Merchant Shipping (Amendment) Act, 1947.	The whole
1947	XLII	The Indian Finance (Supplementary) Act, 1947.	The whole
1947	L	The Delhi and Ajmer-Merwara Rent Control (Amendment) Act, 1947.	The whole
1947	LI	The Indian Cotton Cess (Amendment) Act, 1947.	The whole
1948	II	The Repealing and Amending Act, 1947 . .	The whole
1948	IV	The Armed Forces (Emergency Duties) Amendment Act, 1947.	The whole
1948	V	The Indian Tariff (Second Amendment) Act, 1947	The whole
1948	VI	The Code of Civil Procedure (Amendment) Act, 1948.	The whole
1948	X	The Insurance (Amendment) Act, 1948.	The whole
1948	XIII	The Railways (Transport of Goods) (Amendment) Act, 1948.	The whole

Year 1	No. 2	Short title 3	Extent of repeal 4
<i>Acts of the Central Legislature—contd.</i>			
1948	XVII	The Indian Army and the Indian Air Force (Amendment) Act, 1948.	The whole
1948	XVIII	The Protective Duties Continuation Act, 1948.	The whole
1948	XIX	The Indian Tea Control (Amendment) Act, 1948.	The whole
1948	XXI	The Indian Railways (Amendment) Act, 1948	The whole
1948	XXIII	The Taxation on Income (Investigation Commission) (Amendment) Act, 1948.	The whole
1948	XXIV	The Indian Aircraft (Amendment) Act, 1948 .	The whole
1948	XXV	The Provincial Insolvency (Amendment) Act, 1948.	The whole
1948	XXVII	The Control of Shipping (Amendment) Act, 1948.	The whole
1948	XXVIII	The Delhi and Ajmer-Merwara Rent Control (Amendment) Act, 1948.	The whole
1948	XXX	The Indian Lac Cess (Amendment) Act, 1948 .	The whole
1948	XXXIII	The Calcutta Port (Pilotage) Act, 1948 .	Section 11
1948	XXXVI	The Bombay, Calcutta and Madras Port Trusts (Constitution) (Amendment) Act, 1948.	The whole
1948	XXXIX	The Indian Registration (Amendment) Act, 1948.	The whole
1948	XLII	The Indian Merchant Shipping (Amendment) Act, 1948.	The whole
1948	XLIII	The Indian Army (Amendment) Act, 1948 .	The whole
1948	XLIV	The Durgah Khawaja Saheb (Amendment) Act, 1948.	The whole
1948	XLV	The Indian Telegraph (Amendment) Act, 1948.	The whole
1948	XLIX	The Taxation on Income (Investigation Commission) (Second Amendment) Act, 1948.	The whole
1948	L	The Cantonments (Amendment) Act, 1948 .	The whole
1948	LV	The Indian Income-tax (Amendment) Act, 1948.	The whole
1948	LVI	The Territorial Army Act, 1948	Section 15
1948	LVII	The Indian Navy (Discipline) Amendment Act, 1948.	The whole
1948	LIX	The Indian Cotton Cess (Amendment) Act, 1948.	The whole
1948	LXII	The Reserve Bank (Transfer to Public Ownership) Act, 1948.	Section 7 and Schedule

Year 1	No. 2	Short title 3	Extent of repeal 4
<i>Acts of the Central Legislature —concl.</i>			
1948	LXIII	The Factories Act, 1948 . . .	Section 119 and the Table of Enactments repealed.
1948	LXIV	The Essential Supplies (Temporary Powers) (Amendment) Act, 1948.	The whole
1948	LXV	The Indian Railways (Second Amendment) Act, 1948.	The whole
<i>Ordinances made by the Governor-General</i>			
1944	III	The Restriction and Detention Ordinance, 1944 . . .	The whole
1944	XXX	The Army (Provision for Dependents) Ordinance, 1944.	The whole
1945	XL	The Army (Forfeiture of Emoluments) Ordinance, 1945.	The whole
1946	I	The Repealing Ordinance, 1946 . . .	The whole
1946	VII	The Criminal Law (1943 Amendment) Amending Ordinance, 1946.	The whole
1946	VIII	The Allied Forces (China) Ordinance, 1946 .	The whole
1946	IX	The National Service (Technical Personnel) Amendment Ordinance, 1946.	The whole
1946	XIII	The Army (Forfeiture of Emoluments) Amendment Ordinance, 1946.	The whole

THE SECOND SCHEDULE

*Amendments**(See section 3)*

Year 1	No. 2	Short title 3	Amendments 4
<i>Acts of the Central Legislature</i>			
1860	XLV	The Indian Penal Code	In the <i>Explanation</i> to section 489A for the figures, letters and word "489C and 489D" the figures, letters and word "489C, 489D and 489E" shall be substituted.
1867	XXV	The Press and Registration of Books Act, 1867.	In the preamble, for the words "periodicals containing news", the word "newspapers" shall be substituted.
1878	XI	The Indian Arms Act, 1878.	In clause (i) of section 19, the words and figures "section 14 or" shall be omitted.
1897	V	The Amending Act, 1897.	In the third Schedule, the entry relating to Act XIII of 1874 shall be omitted.
1898	V	The Code of Criminal Procedure, 1898.	In Schedule II, in the second column, in the entry relating to section 222, for the words "transportation or transportation" the words "transportation or" shall be substituted.

Year 1	No. 2	Short title 3	Amendments
<i>Acts of the Central Legislature—contd.</i>			
1908	XV	The Indian Ports Act, 1908.	In clause (c) of section 48, for the words "any port within the territories administered by the Governor of Fort Saint George in Council", the words "any port in the State of Madras or the port of Gopalpur in the State of Orissa" shall be substituted.
1925	XIX	The Provident Funds Act, 1925.	In sub-section (2) of section 5, for the words and figures "the Succession Certificate Act, 1889", the words and figures "the Indian Succession Act, 1925" shall be substituted.
1939	XXX	The Commercial Documents Evidence Act, 1939.	In item 7 of Part I of the Schedule, for the words "British India Load Line Certificate", the words "Indian Load Line Certificate" shall be substituted.
1947	XIV	The Industrial Disputes Act, 1947.	In the proviso to sub-section (2) of section 16, after the words "the House of the People", where they occur last, the word "may" shall be inserted.
1949	XXV	The Displaced Persons (Legal Proceedings) Act, 1949.	In section 7, for the words and figures "Order XXI of the Code of Civil Procedure", the words and figures "Order XXI of the First Schedule to the Code of Civil Procedure" shall be substituted.
<i>Act of the Madras Legislature</i>			
1886	IV	The Railway Protection Act, 1886.	In section 1, for the words "It extends to the territories administered by the Governor in Council of Fort St. George", the words "It extends to the whole of the State of Madras" shall be substituted.

THE NAWAB SALAR JUNG BAHADUR (ADMINISTRATION OF ASSETS) ACT, 1950.

No. XXXVI of 1950

An Act to provide for the administration of the assets of the late Nawab Salar Jung Bahadur of Hyderabad and for matters connected therewith.

Be it enacted by Parliament as follows:—

1. Short title and extent.—(1) This Act may be called the Nawab Salar Jung Bahadur (Administration of Assets) Act, 1950.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

2. Definitions.—In this Act, unless the context otherwise requires,—

(a) "assets" means all the items of property of the Nawab specified in the Schedule, and includes any other item of property added to the Schedule by notification under section 7;

(b) "Committee" means the Salar Jung Estate Committee appointed for the purpose of administering the estate of the Nawab under the Salar

Jung Estate (Administration) Regulation (No. XXXIV of 1858F) of Hyderabad:

(c) "the Nawab" means Nawab Salar Jung Bahadur of Hyderabad who died on the 2nd day of March, 1949; and

(d) "Schedule" means the Schedule to this Act.

3. Vesting of assets in Committee.—All the assets of the Nawab shall vest in the Committee and shall be administered by the Committee subject to the control of the Central Government.

4. Powers of Committee.—(1) Subject to any rules that may be made in this behalf, the Committee may take such measures as it considers necessary or expedient for the purposes of administering and managing the assets which have vested in it and may for any such purpose do all acts and incur all expenditure necessary or incidental thereto.

(2) Without prejudice to the generality of the powers given to it by sub-section (1), the Committee may, for any of the purposes aforesaid,—

(a) operate on any account standing in the name of the Nawab in any banking company;

(b) take such action as may be necessary for the recovery of any debt due to the Nawab;

(c) transfer in any manner whatsoever the assets or any part thereof;

(d) invest or re-invest any assets in such security as the Committee may think fit.

(3) The Committee may, for the more convenient exercise of any of its powers, authorise, by resolution, any of its members to act on behalf of the Committee in respect of such matters as may be specified.

5. Payment to Committee to be valid discharge.—(1) Any payment made to the Committee in the discharge of any obligation in relation to any asset shall be a full and valid discharge to the person making the payment from all liability in respect thereof.

(2) Any payment made otherwise than in accordance with sub-section (1) shall not be deemed to discharge the person paying it from his obligation to make the payment and shall not affect the right of the Committee to enforce such obligation against that person.

6. Transfers otherwise than by Committee or without its consent void.—

(1) Any transfer or other disposition of any asset made by any person after the 2nd day of March, 1949, and before the 12th day of November, 1949, shall be void and shall be deemed always to have been void unless confirmed by the Committee.

(2) Any transfer or other disposition of any asset purporting to be made by any person other than the Committee after the 12th day of November, 1949, shall be void and of no effect, and, notwithstanding anything contained in any law for the time being in force, the asset shall be deemed to be and always to have been vested in the Committee.

7. Power to add to Schedule.—The Central Government may, by notification in the Official Gazette, add to the items of property in the Schedule any other item which in its opinion represents property belonging to the Nawab, and on the issue of such notification, any property so added, shall be deemed always to have been included in the Schedule for the purposes of this Act.

8. Bar of jurisdiction.—No suit or other legal proceeding for the enforcement of any right or remedy in respect of any asset shall be instituted in any court by any person other than the Committee save with the previous consent of the Central Government.

9. Protection of action taken in good faith.—No suit, prosecution or other legal proceeding shall lie against the Committee for anything which is in good faith done or intended to be done in pursuance of this Act.

10. Power to make rules.—The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act and, in particular, for the effective exercise of the powers vested in the Committee under this Act.

11. Repeal of Ordinance XXIX of 1949.—(1) The Nawab Salar Jung Bahadur (Administration of Assets) Ordinance, 1949 (XXIX of 1949), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in the exercise of any power conferred by or under the said Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act, as if this Act were in force on the day on which such thing was done or action was taken.

SCHEDULE
(See section 2)

ASSETS OF THE LATE NAWAB SALAR JUNG BAHADUR

SHARES

Item No.	Description of property	No. of shares	Amount	In whose custody	Remarks
1	2	3	4	5	6
1	Government Promissory Notes, 1896-97.	4	Rs. 12,000	Imperial Bank of India, Hyderabad (Deccan).	
2	The Tata Hydro-Electric Power Supply Co., Ltd. (Bombay).	180 Ordinary.	18,000	Do.	
3	The Tata Hydro-Electric Power Supply Co., Ltd. (Bombay).	500 7 per cent. Preference.	50,000	Do.	
4	The Andhra Valley Power Supply Co., Ltd. (Bombay).	50 Ordinary.	50,000	Do.	
5	The Tata Power Co., Ltd. (Bombay).	110 Ordinary.	1,10,000	Do.	
6	Do. . .	100 7 per cent. Preference.	1,00,000	Do.	
7	The Tata Iron and Steel Co., Ltd. (Bombay).	300 7½ per cent. Second Preference.	30,000	Do.	